

### **Claim Amendments**

Please make the following amendments to the claims:

1 1. (ALLOWED) A processor-based system, comprising:  
2 a performance control apparatus, comprising a first selector, the first  
3 selector being adjustable, between a minimum setting and a maximum setting,  
4 to modify one or more performance criteria of the processor-based system, the  
5 performance criteria comprising a processor clock rate, a fan speed, and disk  
6 usage; and  
7 a performance control application program with a graphical user interface,  
8 the graphical user interface comprising at least one application program selector  
9 associated with an application program loaded in the processor-based system,  
10 wherein the application program selector is adjustable between a second  
11 minimum setting and a second maximum setting;  
12 wherein the at least one application program selector enables a user to modify  
13 the one or more performance criteria during operation of the application program  
14 and the first selector enables the user to modify the one or more performance  
15 criteria during operation of the processor-based system.

1 2. (ALLOWED) The processor-based system of claim 1, further comprising a  
2 second selector, wherein the [one or more performance criteria of the processor-  
3 based system include] processor clock rate is controlled by the first selector and  
4 the fan speed is controlled by the second selector, the first selector and the  
5 second selector being independently controllable.

1 3. (ALLOWED) The processor-based system of claim 2, the first selector of  
2 the performance control apparatus further comprising first and second labels  
3 disposed at opposing ends of the first selector, the first label indicating the  
4 minimum setting and the second label indicating the maximum setting.

1 4. (ALLOWED) The processor-based system of claim 3, the performance  
2 control apparatus further comprising a display, the display having first and  
3 second indicators, wherein the first indicator conveys a processor temperature  
4 and the second indicator conveys a relative performance value of the processor-  
5 based system.

1 5. (ALLOWED) The processor-based system of claim 4, wherein the  
2 processor clock rate may exceed an optimum clock rate when the first selector is  
3 adjusted beyond a predetermined setting, wherein the predetermined setting is  
4 not the maximum setting.

1 6. (ALLOWED) The processor-based system of claim 5, wherein the first  
2 selector further comprises a plurality of light-emitting diodes, wherein one or  
3 more of the plurality of diodes sequentially lights up when the first selector is  
4 adjusted.

1 7. (ALLOWED) The processor-based system of claim 6, wherein one or  
2 more of the plurality of light-emitting diodes change color state when the first  
3 selector is adjusted beyond the predetermined setting.

1 8. (ALLOWED) The processor-based system of claim 1, wherein the  
2 application program selector enables the user to adjust and set the processor  
3 clock rate during execution of the application program.

1 9. (ALLOWED) The processor-based system of claim 8, wherein the  
2 performance control application program further comprises a second application  
3 program selector for enabling the user to adjust the fan speed during execution  
4 of the application program.

1 10. (ALLOWED) The processor-based system of claim 1, further comprising a  
2 performance control icon, accessible from within the application program,  
3 wherein the performance control icon enables the user to modify one or more  
4 performance criteria from within the application program.

1 11. (CANCELLED)

1 12. (CANCELLED)

1 13. (CANCELLED)

1 14. (CANCELLED)

1 15. (CURRENTLY AMENDED) The apparatus of claim 19 ~~14~~, wherein the  
2 processor clock rate may exceed an optimum clock rate.

1 16. (ORIGINAL) The apparatus of claim 15, wherein one or more of the  
2 plurality of light-emitting diodes change to a second color when the processor  
3 clock rate exceeds the optimum clock rate.

1 17. (CURRENTLY AMENDED) ~~The apparatus of claim 12;~~ A performance  
2 control apparatus, comprising:

3 a plurality of selectors for designating one of several settings in a  
4 processor-based system, wherein each setting modifies one or more  
5 performance-related criteria of the processor-based system, the performance-  
6 related criteria comprising a processor clock rate, a fan speed, and a disk drive  
7 usage of the processor-based system, wherein each performance-related  
8 criterion is associated with a separate selector of the plurality of selectors;

9 a display comprising an indicator, wherein the indicator visually conveys a  
10 relative performance value for the processor-based system;

11 a first label; and

12 a second label, the first and second labels being disposed adjacent to the  
13 selector, wherein the first label designates a minimum setting of the selector and  
14 the second label designates a maximum setting of the selector;

15 wherein the plurality of selectors comprises a first selector for controlling both  
16 the processor clock rate and the fan speed, wherein adjustment of the first  
17 selector simultaneously controls the fan speed and the processor clock rate.

1 18. (CURRENTLY AMENDED) The apparatus of claim 19 ~~14~~, wherein the  
2 display further comprises a second indicator, wherein the second indicator  
3 visually conveys a processor temperature.

1 19. (CURRENTLY AMENDED) The apparatus of claim ~~14~~, 17, further  
2 comprising:

3 a plurality of light-emitting diodes, the plurality of light-emitting diodes  
4 being disposed adjacent to the selector, wherein one or more of the plurality of  
5 light-emitting diodes changes to a first color when the selector is not at the  
6 minimum setting;

7 the plurality of selectors further comprising:

8 a first selector for controlling the processor clock rate;

9 a second selector for controlling the fan speed, wherein the first and  
10 second selectors are independently controllable; and

11 ~~the plurality of selectors further comprising~~

12 a third selector, the third selector being adjustable to modify the disk  
13 drive usage of the processor-based system by an application program;  
14 wherein the third selector adjusts between the application program being  
15 executed from the disk drive and being executed from a volatile memory.

1 20. (CANCELLED)

1 21. (CURRENTLY AMENDED) A performance control application program, to  
2 be run on a processor-based system, the performance control application  
3 program being viewable from a graphical user interface, the graphical user  
4 interface comprising:

5 a list of one or more software programs loaded into the processor-based  
6 system; and

7 a selector for altering a [[a]] processing speed of the processor-based  
8 system;

9 wherein the processing speed is altered while one software program of the one  
10 or more software programs is running on the processor-based system, but is not  
11 altered when the one software program is not running.

1 22. (ALLOWED) The performance control application program of claim 21, a  
2 portion of the one or more software programs being collected as a group,  
3 wherein the processing speed is altered when any software program in the group  
4 is running.

1 23. (ALLOWED) The performance control application program of claim 22,  
2 the graphical user interface further comprising a second selector for altering a  
3 system noise characteristic, wherein the first selector is independent of the  
4 second selector.

1 24. (ALLOWED) A performance control application program, to be run on a  
2 processor-based system, the performance control application program being  
3 viewable from a graphical user interface, the graphical user interface comprising:  
4 a file type grouping, the file type grouping specifying a plurality of file  
5 extensions; and  
6 a configuration profile associated with the file type grouping, wherein the  
7 configuration profile specifies adjusting the speed of one or more fans operating  
8 within the processor-based system;  
9 wherein the processor-based system automatically sets the configuration profile  
10 when a file having one of the plurality of file extensions is run.

1 25. (ALLOWED) The performance control application program of claim 24,  
2 further comprising:

3 a second file type grouping, the file type grouping specifying a second  
4 plurality of file extensions, the second plurality of file extensions being distinct  
5 from the first plurality of file extensions; and

6 a second configuration profile associated with the second file type  
7 grouping, wherein the second configuration profile specifies adjusting a  
8 processor clock rate of the processor-based system.

1 26. (CANCELLED)

1 27. (CANCELLED)